

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JUN 23 2010

JAMES N. HATTEN, CLERK  
By: *jan* Deputy Clerk

Terence McPhaul  
**Plaintiff**

Versus

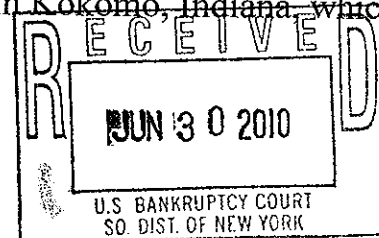
Delphi Corporation;  
Rodney O'Neal (in his professional  
and individual capacities);  
Derrick Williams (in his professional  
and individual capacities);  
General Motors Corporation;  
Gayle Young (in his professional  
and individual capacities);  
United Auto Workers Union  
**Defendants.**

1:10-CV-01308-WBH

**PLAINTIFF'S RESPONSE TO DEFENDANTS' RESPONSE TO  
PLAINTIFF'S MOTION TO REMAND**

**I. INTRODUCTION**

This claim is a breach of contract case because Defendants failed to keep a promise to Plaintiff, that deleterious behaviors against a female employee related to Plaintiff would cease. These egregious and consistent behaviors were exacted by Gayle Young, a supervisor at the General Motors plant in Kokomo, Indiana, which purchased that facility from Delphi Corporation



## **II. FACTUAL STATEMENT**

Plaintiff filed a lawsuit against the six Defendants and all parties were properly served.

## **III. ARGUMENT**

Angela Tsevis was originally acting as counsel for General Motors and Gayle Young. Defendants' attorneys later realized that they goofed when Angela Tsevis acknowledged proper receipt of the lawsuit served on her clients in a conference with Plaintiff on April 19, 2010.

Angela Tsevis has deceptively presented to the Court that she, Edward Marshall, and Jared Lina represent only Gayle Young, and not General Motors Corporation. Peter Golden has fallaciously appeared to state that he only represents Delphi Corporation, Rodney O'Neal, and Derrick Williams. It is clear from the scope and timbre of argument from counsel that counsel have appeared to the Court to make arguments on behalf of the UAW union, and General Motors Corporation, entities that purported that they were not served with the lawsuit. Counsel for Defendants are attempting to beguile the Court with their smoke and mirrors techniques. Angela Tsevis have never denied that she acknowledged proper service of lawsuits served upon General Motors Corporation and Gayle Young (Tsevis's clients) in the conference with Plaintiff on April 19, 2010. Angela Tsevis only allows others to assert on her behalf that Plaintiff's statements about

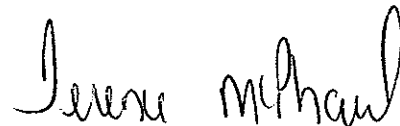
the conference are "patently false and contrived" but she does not make the claim herself, by affidavit, or with her very own signature. More trickery.

Plaintiff's remand is timely. Counsel for Defendants have submitted a document which is yet another attempt to delude the Court, that Plaintiff was served with a Notice of Removal on April 30, 2010. Plaintiff never received a packet from Defendants' counsel on that date and does not know whose signature appears on the certified mail receipt with article number 7007 3020 0002 5059 3083. Plaintiff did not receive knowledge of the Notice of Removal until May 17, 2010. Plaintiff has lived alone for 16 years, and has never authorized anyone else to sign for a parcel addressed to Plaintiff. A copy of Plaintiff's signature is attached as Exhibit "A".

#### IV. CONCLUSION

WHEREFORE, Plaintiff request that the Court make note that Defendants have submitted contrived evidence to support their claims that Plaintiff was served with a Notice of Removal in the above styled case, and grant Plaintiff's Motion for Remand.

Respectfully submitted this 23<sup>rd</sup> day of June, 2010.



Terence McPhaul  
Plaintiff

**Address all correspondence to:**

Terence McPhaul  
860 Peachtree Street, NE  
Unit 2311  
Atlanta, Georgia 30308

# EXHIBIT A

Terence McPhaul, M.A., N.C.S.C.

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

	)	
Terence McPhaul	)	
<b>Plaintiff</b>	)	
	)	
Versus	)	
	)	1:10-CV-01308-WBH
Delphi Corporation;	)	
Rodney O'Neal (in his professional	)	
and individual capacities);	)	
Derrick Williams (in his professional	)	
and individual capacities);	)	
General Motors Corporation;	)	
Gayle Young (in his professional	)	
and individual capacities);	)	
United Auto Workers Union	)	
<b>Defendants.</b>	)	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the  
Plaintiff's Response to Defendant's Response to Plaintiff's Motion to Remand  
on all Defendants, by depositing same in the United States Mail, to ensure delivery  
to the following:

President Barack Obama  
C/O Rahm Emanuel  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Robert E. Gerber  
United States Bankruptcy Judge  
for the Southern District of New York  
One Bowling Green  
New York, NY 10004-1408

Peter Golden  
2849 Paces Ferry Road  
Suite 160  
Atlanta, Georgia 30339

Edward Marshall  
Arnall, Golden & Gregory, LLP  
171 17<sup>th</sup> Street, N.W.  
Suite 2100  
Atlanta, Georgia 30363

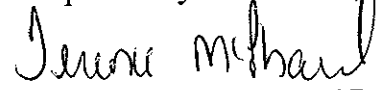
Jared Lina  
Arnall, Golden & Gregory, LLP  
171 17<sup>th</sup> Street, N.W.  
Suite 2100  
Atlanta, Georgia 30363

Angela M. Tsevis  
Lathrop & Gage, LLP  
2345 Grand Boulevard  
Suite 2200  
Kansas City, Missouri 64108

Ron Gettelfinger  
UAW  
Solidarity House  
8000 East Jefferson Avenue  
Detroit, Michigan 48214

This 23<sup>rd</sup> day June, 2010.

Respectfully submitted,



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Terence McPhaul  
Plaintiff, Pro Se

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#2311

Atlanta, Georgia 30308

678.362.0663

professormcphaul@yahoo.com